



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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MINUTES STATE BUILDING CODE COUNCIL

Date: November 21, 2003
Location: Red Lion Motel, SeaTac

Council Members Present: Stan Price, Chair; Chris Endresen, Vice Chair; Dave Baker; Rory Calhoun; John Cochran; Neva Corkrum; John Fulginiti; Bill Misocky; Steve Mullet; John Neff; Steve Nuttall; Terry Poe; Dale Shafer

Council Members Absent: Peter DeVries, Rick Ford

Visitors Present: Sue Alden, Dave Cantrell, Brian Minnich, Dan Sexton, John Hogan, Gordon Walgren, Paul O'Connor, Diane Hansen, Sharon Alexander, Terri Hotvedt, John Siu, Anjela Foster, Dwight Perkins, Jerry Farley, Chris Ricketts, Phil Brazil, Sam Hicks, Tom Young, Jerry Barbera

Staff Present: Tim Nogler, Al Rhoades, Krista Braaksma, Sue Mathers

CALL TO ORDER

Stan Price, Council Chair, called the meeting to order at 2:15 p.m. Stan welcomed everyone to the afternoon rulemaking session. Introductions were made.

REVIEW AND APPROVE AGENDA

The agenda for the afternoon session was reviewed and approved as written.

REVIEW AND APPROVE MINUTES

The minutes of the October 10 and October 17 public hearings were reviewed and approved as written.

PUBLIC COMMENT ON ITEMS NOT COVERED BY THE AGENDA

None received.

PROPOSED RULEMAKING DECISIONS

Stan announced that the order in which codes will be considered is the International Building Code (IBC), International Residential Code (IRC), International Mechanical Code (IMC), International Fire Code (IFC), Uniform Plumbing Code (UPC), Washington State Energy Code (WSEC) and the Ventilation & Indoor Air Quality Code (VIAQ). He suggested that motions be made to accept the CR-102 for each code before discussion and votes on amendments. Following the vote for each amended code, Stan suggested making motions on proposed editorial changes.

International Building Code

Motion #1:

Chris Endresen moved adoption of the CR-102 for the International Building Code. Bill Misocky seconded the motion.

Amendment to Motion #1:

John Neff moved changing 20 to 10 dwelling units in 1107.6.2.1.1 on page 19 of the CR-102. Bill Misocky seconded the motion. The amendment was unanimously adopted.

Second Amendment to Motion #1:

Steve Nuttall moved adoption of Option 2 to WAC 51-50-1208 on page 22 of the CR-102. John Neff seconded the motion. The amendment was adopted, 9 aye to 3 nay.

Third Amendment to Motion #1:

Dave Baker moved to strike Exception 4 from Option 2 to WAC 51-50-1208. Rory Calhoun seconded the motion.

Dave said his intent is to return to basic code language.

The question was called for on the third amendment to strike Exception 4 from Option 2. The amendment failed for lack of a full Council majority, 7 aye to 5 nay.

Dave questioned whether the Chair is allowed a vote to reach a simple majority of 8. His feeling is that Chair votes are restricted to breaking ties. Krista Braaksma clarified that votes by the Chair are allowed when they change the outcome of the vote.

Stan abstained from voting on the amendment to strike Exception 4 of Option 2 to WAC 51-50-1208. Thus the third amendment failed.

Fourth Amendment to Motion 1:

John Cochran moved to change stair riser heights from 7-1/2 inches to 7 inches and stair tread depths from 10 inches to 11 inches in Section 1009.3 on page 14 of the CR-102. Dave Baker seconded the motion.

Tim Nogler noted that the effect of this amendment would be to delete this section from the CR-102 and go to the model code language, specifying 7 inches maximum for stair riser height and 11 inches minimum for stair tread depth. John Neff said most jurisdictions have amended the language back to original code language. He encouraged adoption of the code language. John Cochran noted correlation with the fire code is needed.

The question was called for on deleting the state amendment changing stair riser height and stair tread depth. The amendment was unanimously adopted.

Fifth Amendment to Motion 1:

Dave Baker moved changing five percent Required Type A units to two percent in 1107.6.2.1.1. John Neff seconded the motion.

Rory Calhoun spoke against the amendment. John Cochran spoke for it. Chris Endresen also spoke against the amendment, encouraging further research.

The question was called for on the amendment to change five to two percent. The amendment failed, 5 aye, 6 nay and 1 abstention.

Sixth Amendment to Motion #1:

Rory Calhoun moved the adoption of language regarding touch switches, as proposed by Karen Braitmayer in Section 1101.2.11. Chris Endresen seconded the motion. The amendment was unanimously adopted.

Seventh Amendment to Motion #1:

Terry Poe moved adoption of the language proposed in Section 313, regarding locks in Licensed Care Group LC, by Harry Steinmetz. Rory Calhoun seconded the motion.

Terry said operators have asked for this safety issue. John Cochran pointed out the unclear terms of “long term” and “specialized” in this proposal. John Neff suggested this is a good proposal to submit as a code change next year after TAG review. He said further study is needed. Steve Nuttall also expressed concern with the wording. Al noted that the proposer alluded during testimony to the fact that this proposal is allowed through NFPA 101, the life safety code. Al concluded, after research, that this is an issue that should be researched by a TAG.

The question as called for. The amendment to Section 313 failed, 1 aye to 11 nay.

Tim suggested looking at proposed language listing the codes and how they are adopted in WAC.

Eighth Amendment to Motion #1:

John Neff moved striking WAC 51-50-007 language in the CR-102 and inserting the generic language in all codes of “Codes referenced which are not adopted through RCW 19.27.031 and RCW 19.27A shall not apply unless specifically adopted by the Authority Having Jurisdiction.” Bill Misocky seconded the motion.

Dale Shafer spoke against the motion. He said the originally proposed language is less troublesome. Steve Nuttall also spoke against the motion, given the possibility of conflict with other documents. Bill Misocky spoke for the amendment, which he said clarifies and simplifies the language.

The question was called for on amending WAC 51-50-007 regarding referenced codes. The amendment was adopted, 8 aye, 3 nay, 1 abstention.

The question was called for on adopting Motion #1, to adopt the International Building Code as amended above. Motion #1 was unanimously adopted.

Motion #2:

John Neff moved to adopt editorial changes in the work session matrixes for the 2003 International Building Code and Chapters 11 and 34. Chris Endresen seconded the motion. Motion #2 was adopted, 11 aye to 1 nay.

Motion #3:

John Neff moved that staff coordinate the above editorial changes, including codes referenced in -007 adopted in the International Building Code, with other code documents. John Cochran seconded the motion. Motion #3 was adopted, 10 aye to 2 nay.

Tim asked that a similar motion be made directing staff to coordinate codes for consistency.

Motion #4:

Steve Nuttall moved that staff coordinate all relevant International codes. John Neff seconded the motion. Motion #4 was unanimously adopted.

International Residential Code

Motion #5:

Dave Baker moved adoption of the International Residential Code as proposed in the CR-102. John Neff seconded the motion.

Amendment to Motion #5:

John Neff moved to add the new language of Section R311.5.3.1, riser height, as proposed by Jeff Cook. Chris Endresen seconded the motion.

Dave Baker spoke against the amendment because it limits options. He said many people build to a smaller than 7-1/2 inch riser.

John Neff withdrew the amendment, and Chris agreed with the withdrawal, so a TAG can further study riser height.

Second Amendment to Motion #5:

John Neff moved modifying Section R313.1.1 to add Exception 3 for mechanical system alterations as proposed by Dave Cantrell. Dave Baker seconded the motion.

John said since in previous codes this requirement was solely in the building code, other codes wouldn't trigger it. But with this requirement in the IRC, "any interior alteration"

triggers it. Steve Nuttall spoke in opposition to the amendment, since it allows life-saving devices in older structures that really need them and might otherwise not see them.

The question on adopting Exception 3 of Section R313.1.1 was called for. The proposed amendment failed, 0 aye, 10 nay, 2 abstention.

Third Amendment to Motion 5:

Dave Baker moved to delete the dryer vent protection in G2439.5.3, as proposed by Don Brubeck. Dale Shafer seconded the motion. The amendment was unanimously adopted.

The question was called for on Motion #5. The CR-102 for the International Residential Code as amended above was unanimously adopted.

Tim said there are no editorial changes to the IRC.

International Mechanical Code

Motion #6:

Dale Shafer moved adoption of the CR-102 for the International Mechanical Code, with the exception of 504.6.3. Terry Poe seconded the motion.

John Neff noted that 504.6 of the IMC addresses domestic clothes dryer ducts.

Amendment to Motion #6:

Dave Baker moved striking 102.2.2, which prohibits the use of water heaters for space heating. John Cochran seconded the motion.

Bill Misocky spoke against water heaters being used for comfort heating. He said a TAG studied the issue two years ago. The concern at that time was that heaters were listed for a specific purpose, to deliver hot water for potable use. While hydronic heating systems are more popular today, most water heaters are still listed and designed for the single use of providing domestic water. Dale said he doesn't feel strongly about this issue, but prefers that water heaters can be used for space heating. John Neff agreed with Dale. He said the issue of water heaters being installed according to the installation requirements is more important than whether water heaters can be used for space heating.

The question was called for on allowing water heaters to be used for space heating. The amendment was adopted, 11 aye to 1 nay.

Second Amendment to Motion #6:

Dave Baker moved to strike “Existing walls shall be core drilled and sealed with an approved mechanical seal.” in Section 404.4 and Section 6.1.5, both proposed on page 6 of the CR-102. Dale Shafer seconded the motion. The amendment was unanimously adopted.

Dale Shafer noted that the amendment that just passed also appears in the IRC.

The question was called for on Motion #6 to adopt the CR-102 for the International Mechanical Code as amended above. Motion #6 was unanimously adopted.

Motion #7:

Dale Shafer moved deleting the last sentence in 2415.4 on page 10 of the CR-102 for the International Residential Code. Bill Misocky seconded the motion. Motion #7 was unanimously adopted.

Motion #8:

Bill Misocky moved to delete “Water heaters used for space heating only are prohibited.” on page 11 of the CR-102 for the International Residential Code. Dale Shafer seconded the motion. Motion #8 was unanimously adopted.

International Fire Code

Motion #9:

Steve Nuttall moved adoption of the CR-102 for the International Fire Code. Chris Endresen seconded the motion.

Amendment to Motion #9:

Steve Nuttall moved deletion of 907.1.1, visible alarms. Dave Baker seconded the motion.

Steve noted that the amendment reinstates model code language and doesn't delete visible alarms.

The question was called for on deleting 907.1.1. The amendment was unanimously adopted.

Second Amendment to Motion #9:

Steve Nuttall moved amending Chapter 33, explosives and fireworks, by including the Fire Code TAG suggested language in Section 3301.1. Bill Misocky seconded the motion.

Steve noted the TAG was uncomfortable with referring all explosives issues to the WAC, as favored by the Department of Labor & Industries. Since both the explosives WAC and the fireworks WAC are being revised during 2004, the Fire Code TAG may wish to reexamine them during the next cycle.

The question was called for on amending Chapter 33. The amendment was adopted, 11 aye and 1 abstention.

Third Amendment to Motion #9:

John Neff moved adding the definition of portable school classrooms in Section 902.1, for consistency to correlate with the International Building Code. Steve Nuttall seconded the motion. The amendment was unanimously adopted.

The question was called for on the adoption of Motion #9, to adopt the International Fire Code as amended above. The motion was unanimously adopted.

Motion #10:

Steve Nuttall moved to coordinate editorial changes in 909.6.3 with the International Building Code (elevator shaft pressurization). John Neff seconded the motion. Motion #10 was unanimously adopted.

Uniform Plumbing Code

Motion #11:

Bill Misocky moved to adopt the CR-102 for the Uniform Plumbing Code. John Neff seconded the motion.

Amendment to Motion #11:

Bill Misocky moved to delete Section 501 on page 6 of the CR-102, water heaters used for space heating. Chris Endresen seconded the motion. The amendment was unanimously adopted.

Second Amendment to Motion #11:

Bill Misocky moved deleting new (underscored) language in Section 608.5 beginning with “in one- or two-family dwellings” on page 12 of the CR-102. Dale Shafer seconded the motion. The amendment was unanimously adopted.

Third Amendment to Motion #11:

Bill Misocky moved deleting the exception in Section 508.5 on page 8 of the CR-102. Dave Baker seconded the motion. The amendment was unanimously adopted.

Fourth Amendment to Motion #11:

Chris Endresen moved adoption of editorial changes to Section 604.1. Dale Shafer seconded the motion. The amendment was unanimously adopted.

The question was called for on the adoption of the amended CR-102 for the Uniform Plumbing Code. Motion #11 was unanimously adopted.

WSEC

Motion #12:

Chris Endresen moved adoption of the CR-102 for the Washington State Energy Code. Bill Misocky seconded the motion.

Amendment to Motion #12:

Dale Shafer moved deletion of proposed changes to Section 1521 and Table 15-1 regarding prescriptive lighting requirements. John Neff seconded the motion.

John Cochran asked if current prescriptive lighting requirements comply with national standards. Dale answered that he’s heard both negative and affirmative testimony responding to that question. Steve Nuttall spoke in support of the proposal. Rory noted

the impact on vision-impaired individuals. He questioned whether the proposal would really save money. Dale asked if the proposal would lower the light threshold. Krista answered that the wattage is lowered.

Stan spoke in favor of the proposal that came out of Energy Code TAG work. He said it is representative of the ASHRAE 90.1 Standard. Thus it is not outside of national standards, in response to John Cochran's question. The lighting design community represented on the TAG supported the proposal. Stan said the wattage is not the light level provided in a workspace. Doubling the wattage may result in inadequate lighting in classrooms and hallways.

Dale said the proposed changes strictly limit lighting designers. He expressed concern that if lighting levels must be reduced in schools, given their limited funds and inflexibility in certain areas, those areas that will receive lower lighting will be corridors and bathrooms.

The question was called for on deleting proposed changes to Section 1521 and Table 15-1, prescriptive lighting. The amendment failed, 7 aye to 5 nay, chair abstaining.

Second Amendment to Motion #12

Dale Shafer moved deletion of proposed changes to Section 1440, service water heating. Steve Mullet seconded the motion.

John Neff spoke in favor of the deletion. He said the proposal is a standards issue rather than a building code issue.

The question was called for on deleting proposed changes to Section 1440. The amendment was unanimously adopted.

Third Amendment to Motion #12:

Dale Shafer moved deletion of the proposed change to Section 1437, the electric motor efficiency table. Dave Baker seconded the motion.

Dale said he's concerned about ARI's comments about this proposal. Stan said while General-Electric is the dominant manufacturer of these motors, there are others. Steve Nuttall said energy savings is more important than one manufacturer's dominance in the marketplace. Stan said the proposal provides an option whereby any motor with a minimum efficiency rating of 65 percent or greater is acceptable. Dale expressed concern about unanswered questions; he said the proposal needs further study.

The question was called for on the deletion of the proposed change to Section 1437. The amendment was adopted, 11 aye to 1 nay.

The question was called for on adoption of the amended CR-102 for the Washington State Energy Code.

Dale Shafer stated his intent to vote no. He said the WSEC is micromanaged, amended every year. He suggested having a TAG research adopting a national standard, such as ASHRAE. Dave Baker echoed those comments. He said breathing time is needed between changes. And the national standard needs to be looked at.

John Neff likewise stated his intention to vote no, hoping that will push the Council toward a national standard. John Cochran also said he'll vote against the WSEC. He has concerns about mold, mildew and poor indoor air quality, and suggests there is a lack of understanding of the consequences of energy regulations.

Stan encouraged passage of the amended WSEC package. He disputes the idea that mold and mildew problems are related to the energy code. Stan agreed that Washington State faces research and decisionmaking about moving to the International Energy Conservation Code. However presently the WSEC is a state-promulgated code that needs to be maintained at the state level.

The question was again called for on adopting the amended CRI-102 for the Washington State Energy Code. Motion #12 failed, 5 aye, 5 nay, 2 abstention.

Motion #13

John Neff moved adoption of correlation issues, to keep the current Washington State Energy Code correlated with the other codes, and editorial changes. Dave Baker seconded the motion. Motion #13 was unanimously adopted.

Ventilation & Indoor Air Quality Code

Motion #14:

Dale Shafer moved to adopt the proposed CR-102 for the Ventilation and Indoor Air Quality Code. Bill Misocky seconded the motion.

Amendment to Motion #14:

Dave Baker moved to strike changes in the radon sections.

Living in a radon area, Spokane, Dave said he's seen cost impacts at the bottom end of the housing market. He said that radon problems cannot be identified until after the fact. There's no way to test for it prior to occupancy.

Dave withdrew his amendment striking radon changes.

The question was called for on adoption of the CR-102 for the Ventilation and Indoor Air Quality Code as filed. Motion #14 failed, 3 aye, 7 nay, 2 abstention.

Motion #15:

Dale Shafer moved editorial changes to correlate the VIAQ with new codes. John Neff seconded the motion. Motion #15 was unanimously adopted.

Motion #16:

Bill Misocky moved adoption of WAC 51-04, Policies and Procedures. Chris Endresen seconded the motion. A friendly amendment was made to adopt editorial changes to Sections -030 and -015. The amended Motion #16 was unanimously adopted.

Motion #17:

John Neff moved to define the effective date of all new codes as July 1, 2004. Steve Nuttall seconded the motion. Motion #17 was unanimously adopted.

OTHER BUSINESS

The proposed list of meetings scheduled for 2004 was reviewed. Tim asked the Council to adopt these meetings so that members and interested parties can set these dates aside on their calendars. He noted that the next Council meeting is proposed for January 9, 2004. That would be the first of five Council meetings proposed for 2004. Between those meetings are proposed conference call meetings as necessary. If rulemaking is required again next year, an October 8 public hearing may be held. In addition Tim reminded everyone that the Legislative Committee meets each Thursday from January through April in conference call.

Noting that the Red Lion Hotel conference room is not an accessible facility, John Neff asked that meeting locations be truly accessible. Other members agreed. Chris Endresen noted that the proposed October 8 hearing conflicts with the Washington State Association of Counties' conference, which both she and Neva Corkrum attend. Therefore, the proposed date of an October public hearing, if needed, is changed to October 15.

Motion #18:

Bill Misocky moved to adopt the proposed 2004 Meeting Calendar, amending the October 8 public hearing, if needed, to October 15. Neva Corkrum seconded the motion. Motion #18 was unanimously adopted.

Tim said paperwork has been completed on Council reappointments, with the exception of John Fulginiti. John has indicated his desire not to continue Council membership. Thus Tim said this may well be John's last meeting, unless the Governor has not named a replacement by January 9, 2004. A replacement is being sought by the Structural Engineers Association. Stan and other Council members thanked John for his participation and wished him well.

Stan said Snohomish County PUD indicated its support to him of proposed changes in residential lighting requirements of compact fluorescent light bulbs. The PUD plans to pursue legislation on this issue during the next session and provided background information to Stan. Stan will provide that information to staff, who will distribute it to Council members for their information.

ADJOURNMENT

Lacking further business, Stan adjourned the Council meeting at 4:30 p.m.